

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

PATRICK J. CALDWELL,

Defendant.

NO. CR-05-168-4-LRS

**ORDER DENYING DEFENDANT'S
MOTION FOR EARLY TERMINATION**

BEFORE THE COURT is Defendant's Motion For Early Termination, Ct. Rec. 161, filed on April 7, 2010 and the United States' Response to Motion for Early Termination, Ct. Rec. 164, filed on May 10, 2010.

On July 21, 2006, Mr. Caldwell was sentenced to forty-one months of imprisonment and ten years of supervised release for conspiracy to possess with intent to distribute 50 grams or more of actual methamphetamine. Mr. Caldwell has completed that forty-one month sentence and two years of his supervised release. Defendant requests that the balance of his supervised release, or eight years, be terminated based on a broad range of positive factors relating to his behavior since his release from prison, i.e., stable full time employment, positive credit history since release, being an active member of the community, and maintaining a positive relationship with family and friends.

1 The government concedes that there have been no issues regarding
2 Defendant's supervision while on release but that it is premature to
3 consider this motion based on having served very little of his ten year
4 term of supervised release. Further, the government argues, U.S.
5 Probation has not identified Mr. Caldwell as being a candidate for early
6 release given the serious nature of the underlying crime and the length
7 of the original term of ten years supervised release imposed in this
8 case. The government recommends that Defendant bring this motion after
9 he has served at least three years of the ten year supervised release
10 term.

11 The Court finds the government's position is reasonable and
12 respectfully denies the instant motion at this time.

13 **IT IS HEREBY ORDERED** that Defendant's Motion For Early Termination,
14 **Ct. Rec. 161**, is **DENIED**.

15 **IT IS SO ORDERED.** The District Court Executive is directed to enter
16 this order and to provide copies to all counsel and the U.S. Probation
17 Office.

18 **DATED** this 14th day of May, 2010.

19 ***s/Lonny R. Suko***

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21 LONNY R. SUKO
22 Chief United States District Judge
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